

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**In re:**

**THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,**

as representative of

**THE COMMONWEALTH OF PUERTO RICO *et al.*,**

Debtors<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF No. 21738

(Jointly Administered)

**URGENT CONSENSUAL MOTION FOR A FIFTH EXTENSION  
TO RESPOND TO OBJECTION TO CLAIM ECF No. 21738**

**TO THE HONORABLE UNITED STATES DISTRICT COURT  
JUDGE LAURA TAYLOR SWAIN:**

**COMES NOW**, The Financial Oversight and Management Board for Puerto Rico (the “FOMB”), as representative of the Title III Debtors, through the undersigned counsel, and respectfully requests a fifth extension of time for Rocket Learning LLC to file a response in connection with the Four Hundred Eighty-Eighth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Employees’ Retirement System of the Government of the

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17- BK-3567- LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Commonwealth of Puerto Rico, and the Puerto Rico Public Buildings Authority to Deficient Claims (the “Omnibus Objection”), filed at ECF No. 21738, and for the FOMB to file a reply in support of the Omnibus Objection.

### **BACKGROUND**

1. The Debtor filed the *Four Hundred Eighty-Eighth Omnibus Objection (Non-Substantive) Of The Commonwealth Of Puerto Rico, The Employees’ Retirement System Of The Government Of The Commonwealth Of Puerto Rico, And The Puerto Rico Public Buildings Authority To Deficient Claims* on August 5, 2022, at ECF No. 21738 (“the Objection”).

2. Among the claims objected to is Claim Number 115471, filed by creditor Rocket Learning LLC. The claim includes supporting documents, however, the Debtor is contesting the creditor’s asserted liability and requesting additional supporting documents to validate the claim.

3. It has been conveyed to the FOMB that local counsel to Rocket Learning LLC, Ms. Maria Mercedes Figueroa y Morgade, is dealing with a pressing health issue, and consequently has been unable to file this Urgent Consensual Motion. In the meantime, representatives of Rocket Learning LLC are continuing to attempt to gather additional documentation to supplement their prior production of information to counsel for the FOMB, as noted below.

4. To continue promoting and pursuing a consensual resolution of the Objection to Claim 115471, Rocket Learning LLC previously requested four prior extensions to respond to the Objection to its claim filed at ECF No. 21738, each with the consent of the Debtor’s counsel. *See* ECF Nos. 22055 (Sept. 3, 2022), 22411 (Sept. 30, 2022), 22813 (Nov. 4, 2022), and 22981 (Dec. 5, 2022). The Court granted each of the prior motions for extension. *See* ECF Nos. 22072 (Sept. 6, 2022), 22414 (Sept. 30, 2022), 22841 (Nov. 10, 2022), and 22988 (Dec. 6, 2022).

5. Two more sources of supporting documents were sent to counsel for the FOMB and are currently under review.

6. Those two sources have documents that also evince the nature of the proof of claim and the amount. However, the sources are voluminous and extensive and its review is still ongoing.

### **REQUEST FOR RELIEF**

7. As noted above, this Urgent Motion requesting a fifth consensual extension is filed with the consent of both the FOMB and Rocket Learning LLC.

8. The parties jointly respectfully request an extension of time for Rocket Learning LLC to respond to the Objection, on or before **February 10, 2023**, and approximately two weeks for the FOMB to reply on or before **February 24, 2023**.

9. No opposition to this Urgent Motion requesting an additional extension is anticipated.

10. Therefore, the FOMB and Rocket Learning LLC agree and propose the following briefing schedule with regards to the Objection and Claim No. 115471::

- (a) The deadline for Rocket Learning LLC to respond to the Objection to claim shall be extended to **February 10, 2023**.
- (b) The deadline for the FOMB to reply shall be extended to **February 24, 2023**.
- (c) The Court will schedule a hearing on the Objection to claim.

**Certification of Compliance with  
Local Rule 9013-1 and the Sixteenth Amended Case Management Procedures**

Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1] (the “Case Management Procedures”), the FOMB hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; it has made a bona fide effort to resolve the matter without a hearing; it has made reasonable, good-faith communications with Rocket Learning LLC in an effort to resolve or narrow the issues that are being brought to the Court, and Rocket Learning LLC consents to the relief requested herein.

**WHEREFORE**, the FOMB and Rocket Learning LLC respectfully request that the Court grant this Urgent Consensual Motion and enter an Order consistent with the Proposed Order attached hereto.

**WE HEREBY CERTIFY** that the foregoing *Urgent Consensual Motion for a Fifth Extension to Respond to Objection to Claim ECF No. 21738* was filed with the Clerk of the Bankruptcy Court for the District of Puerto Rico using the CM/ECF system, which will serve notice and a copy of this filing to all registered participants.

Respectfully submitted,

In San Juan, Puerto Rico, on January 20, 2023.

**PROSKAUER ROSE LLP**

/s/ Brian S. Rosen

Brian S. Rosen

(Admitted *Pro Hac Vice*)

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

Email: Email: brosen@proskauer.com

**O'NEILL & BORGES LLC**

250 Muñoz Rivera Ave., Suite 800

San Juan, PR 00918-1813

Tel: (787) 764-8181

Fax: (787) 753-8944

*Attorneys for the Financial Oversight and  
Management Board for Puerto Rico,  
as Representative of the Title III Debtors*

/s/ Hermann D. Bauer

Hermann D. Bauer

USDC No. 215205

Gabriel A. Miranda-Rivera

USDC No. 306704

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re: In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO  
et al.,

(Jointly Administered)

Debtors.<sup>1</sup>  
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**ORDER GRANTING URGENT CONSENSUAL MOTION FOR EXTENSION OF  
DEADLINES TO RESPOND TO DEBTOR'S OBJECTION TO CLAIM**

Upon the *Urgent Consensual Motion For Extension Of Deadline To Respond To Debtor's Objection To Claim* (Docket Entry No. \_\_\_\_\_ in Case No. 17-3283) (the "Urgent Motion");<sup>2</sup> and the Court having found it has subject matter jurisdiction of this matter pursuant to PROMESA section 306; and it appearing that venue in this district is proper pursuant to PROMESA section 307; and the Court having found that the relief requested in the Urgent Motion is in the best interests of the Commonwealth and movant; and the Court having found that the Debtor provided adequate and appropriate notice of the Extension Motion under the circumstances and that no other or further notice is required; and the Court having reviewed the Urgent Motion; and the Court having determined that the factual bases set forth in the Urgent Motion establish just cause for the relief granted herein; it is hereby **ORDERED** that:

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17- BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17- BK- 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523- ETS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings given to them in the Urgent Motion

1. The Extension Motion is granted as set forth herein.
2. The deadline for Rocket Learning LLC to respond to the Objection to claim shall be extended to **February 10, 2023**.
3. The deadline for the FOMB to reply shall be extended to **February 24, 2023**.
4. The Objection to claim will be heard in connection with the omnibus hearing to be scheduled.
5. This Order resolves Docket Entry No. \_\_\_\_ in Case No. 17-3283.

SO ORDERED.

Dated:  
January \_\_\_\_, 2023

LAURA TAYLOR SWAIN  
United States District Judge